

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY )  
AVERAGE WHOLESALE PRICE ) MDL NO. 1456  
LITIGATION ) CIVIL ACTION NO. 01-12257-PBS  
THIS DOCUMENT RELATES TO ) Hon. Patti B. Saris  
ALL ACTIONS )

**ASTRAZENECA PHARMACEUTICALS LP'S  
MOTION FOR LEAVE TO FILE UNDER SEAL**

AstraZeneca Pharmaceuticals LP ("AstraZeneca"), by its attorneys, hereby moves this Court for leave to file under seal AstraZeneca Pharmaceuticals LP's Memorandum of Law in Support of Its Motion for Summary Judgment; the Declaration of Lucy Fowler in Support of AstraZeneca Pharmaceuticals LP's Motion for Summary Judgment and attached exhibits; and AstraZeneca Pharmaceutical LP's Local Rule 56.1 Statement of Undisputed Facts in Support of Its Motion for Summary Judgment.

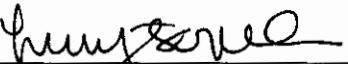
Pursuant to the Protective Order entered by this Court on December 13, 2002 (the "MDL Protective Order"), the parties in the above captioned cases have designated many documents and other information produced in these cases as either "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL." AstraZeneca's Memorandum of Law in Support of its Motion for Summary Judgment, the Declaration of Lucy Fowler in Support of AstraZeneca Pharmaceuticals LP's Motion for Summary Judgment and exhibits thereto, and AstraZeneca Pharmaceutical LP's Local Rule 56.1 Statement of Undisputed Facts in Support of Its Motion for Summary Judgment incorporates—either directly or indirectly—information that has been designated

"CONFIDENTIAL" or "HIGHLY CONFIDENTIAL." In particular, these documents cite extensively to the depositions of class representatives Robert A. Howe and Leroy Townsend, whose deposition testimony was designated by plaintiffs' counsel as "HIGHLY CONFIDENTIAL." Pursuant to paragraph 15 of the MDL Protective Order, any document or pleading containing quotes from or otherwise referencing such information shall be filed under seal.

WHEREFORE, AstraZeneca Pharmaceuticals LP respectfully requests that this Court grant it leave to file AstraZeneca Pharmaceuticals LP's Memorandum of Law in Support of Its Motion for Summary Judgment; the Declaration of Lucy Fowler in Support of AstraZeneca Pharmaceuticals LP's Motion for Summary Judgment and attached exhibits; and AstraZeneca Pharmaceutical LP's Local Rule 56.1 Statement of Undisputed Facts in Support of Its Motion for Summary Judgment under seal.

Dated: Boston, Massachusetts  
March 15, 2006

Respectfully Submitted,

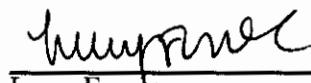
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Attorneys for AstraZeneca Pharmaceuticals  
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**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel for defendants attempted to confer with counsel for plaintiff on this motion, but was unable to reach counsel for plaintiff.

  
\_\_\_\_\_  
Lucy Fowler

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was delivered on March 15, 2006 via Federal Express to counsel for plaintiffs and to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, via LexisNexis File & Serve.

  
\_\_\_\_\_  
Lucy Fowler